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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/042,749	12/04/2002	Surjit A. Chadha	100718.409/MIC-54CN/DV1	1559
23483	7590	12/29/2004	EXAMINER	
WILMER CUTLER PICKERING HALE AND DORR LLP			SANTIAGO, MARICELI	
60 STATE STREET			ART UNIT	PAPER NUMBER
BOSTON, MA 02109			2879	

DATE MAILED: 12/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

Office Action Summary	Application No. 10/042,749	Applicant(s) CHADHA ET AL.	
	Examiner Mariceli Santiago	Art Unit 2879	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10 and 13-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 10,13,14,16,18 and 20 is/are allowed.
- 6) ☒ Claim(s) 15,17,19 and 21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 December 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

The Amendment, filed on September 29, 2004, has been entered and acknowledged by the Examiner.

Cancellation of claims 1-9, 11 and 12 has been entered.

Claims 10 and 13-21 are pending in the instant application.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 17 and 19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 17 and 19 recite the limitation "and/or semiconductive", the recitation renders the claim indefinite since the previous claim states that the binder is conductive.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 15 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al. (US 5,404,074) in view of Speigel et al. (US 3,763,051).

Regarding claims 15 and 21, Watanabe discloses a method of manufacturing a field emission display panel comprising the steps of providing a faceplate (3) comprising a transparent screen having at least one side, applying a transparent conductor (4) to the side of the screen, and applying a phosphor composition (5) to the transparent conductors, providing a baseplate (10) comprising a base electrode (8), a plurality of conical field emission cathodes (6) having a base and a tip, the bases of the field emission cathodes being disposed on the base electrode, and a grid electrode (7) disposed proximally to the tips of the field emission cathodes, positioning the baseplate proximal the side of said screen so that the baseplate is spaced apart from the faceplate, and providing a vacuum gap between the faceplate and the baseplate.

Watanabe is silent in regards to the limitation of simultaneously applying a layer of phosphor and semiconductive binder material to the transparent conductors, the binder material holding the phosphor to the transparent conductors. However, in the same field of endeavor, Speigel discloses a method of manufacturing a display device comprising anode structures coated with a phosphor composition within an evacuated display panel. Furthermore, Speigel discloses the method of simultaneously applying a layer of phosphor and semiconductive binder material, i.e. potassium silicate, to the anode structure, the binder material holding the phosphor to the anode structure. The disclosed phosphor coating technique and composition allows for ease in reproduction of uniform phosphor layers. Thus, it would have been obvious at the time the invention was made to a person having ordinary skills in the art to incorporate the phosphor composition and coating technique disclosed by Speigel in the method of Watanabe in order to provide a uniform phosphor coating which is easy to reproduce.

Allowable Subject Matter

Claims 10, 13, 14, 16, 18 and 20 are allowed over the prior art of record.

Claims 17 and 19 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding claims 10 and 20, the references of the Prior Art of record fails to teach or suggest the combination of the limitations as set forth in claims 10 and 20, and specifically comprising the limitation of simultaneously applying a phosphor material and a binder material on the screen, the binder material holding the phosphor material to the screen, the binder material comprising a conductive material.

Regarding claims 13, 14 and 16-19, claims 13, 14 and 16-19 are allowable for the reasons given in claim 10 because of their dependency status from claim 10.

Response to Arguments

Applicant's arguments, filed September 29, 2004, with respect to the rejection of claim 21 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Watanabe et al. (US 5,404,074) in view of Speigel et al. (US 3,763,051).


Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mariceli Santiago whose telephone number is (571) 272-2464. The examiner can normally be reached on Monday-Friday from 9:30 AM to 6:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel, can be reached on (571) 272-2457. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Maricell Santiago
Patent Examiner
Art Unit 2879